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Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Combating racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of the follow-up to the Durban Declaration and Programme of Action

Note by the Secretary-General**

The Secretary-General has the honour to transmit to members of the General Assembly the interim report submitted by Githu Muigai, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, pursuant to Assembly resolution 62/220.

* A/63/150 and Corr.1.

** The present report was submitted after the deadline in order to reflect the most recent information.

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Interim report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Summary

In the present report to the General Assembly, the Special Rapporteur outlines his main objectives for the fulfilment of his mandate and describes the activities in which his predecessor participated in the period since the submission of his report to the Assembly at its sixty-second session.

The activities reported upon are categorized as follows: reports submitted by the previous mandate holder at the sixth and seventh sessions of the Human Rights Council; participation in the Africa Regional Preparatory Meeting for the Durban Review Conference; country visits undertaken by the former Special Rapporteur to Lithuania, Latvia, Estonia, the Dominican Republic, Mauritania and the United States of America.

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I. Introduction

1. The present report is submitted by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to the General Assembly pursuant to Assembly resolution 62/220, on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action. It is the fifteenth interim report submitted to the Assembly by the Special Rapporteur and the first submitted by the present mandate holder, Githu Muigai, who took up his functions on 1 August 2008, following appointment by the Human Rights Council.

2. The present report gives an overview of the activities carried out under the mandate since the Special Rapporteur's last report to the General Assembly (A/62/306). As such, it makes reference to the main reports, activities and country visits carried out by the preceding mandate holder and to the main objectives of the present mandate holder in the discharge of his mandate.

3. The Special Rapporteur recalls that the General Assembly, in its resolution 62/220, expressed unequivocal condemnation of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempted to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form.

4. The General Assembly recognized that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations.

5. The General Assembly also recognized that racism, racial discrimination, xenophobia and related intolerance occurred on the grounds of race, colour, descent or national or ethnic origin and that victims could suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status.

6. The General Assembly reaffirmed that any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence should be prohibited by law.

7. The General Assembly emphasized that it was the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations were considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law.

8. The General Assembly requested the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees.

9. The General Assembly invited Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations.

10. The present report is submitted pursuant to the aforementioned resolution, whose main provisions are summarized above.

II. Mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

11. During its seventh session, the Human Rights Council reviewed the mandate of the Special Rapporteur and adopted Council resolution 7/34. The terms of reference of the mandate are set out in paragraph 2 of the resolution, in which the Council decided:

> "To extend the mandate of the Special Rapporteur for a period of three years, to gather, request, receive and exchange information and communications with all relevant sources, on all issues and alleged violations falling within the purview of his/her mandate, and to investigate and make concrete recommendations, to be implemented at the national, regional and international levels, with a view to preventing and eliminating all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, focusing, inter alia, on the following issues:
>
> "(a) Incidents of contemporary forms of racism and racial discrimination against Africans and people of African descent, Arabs, Asians and people of Asian descent, migrants, refugees, asylum-seekers, persons belonging to minorities and indigenous peoples, as well as other victims included in the Durban Declaration and Programme of Action;
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> "(b) Situations where the persistent denial of individuals belonging to different racial and ethnic groups of their recognized human rights, as a result of racial discrimination, constitutes gross and systematic violations of human rights;
>
> "(c) The scourges of anti-Semitism, Christianophobia, Islamophobia in various parts of the world, and racist and violent movements based on racism and discriminatory ideas directed at Arab, African, Christian, Jewish, Muslim and other communities;
>
> "(d) Laws and policies glorifying all historic injustices and fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance and underpinning the persistent and chronic inequalities faced by racial groups in various societies;
>
> "(e) The phenomenon of xenophobia;
>
> "(f) Best practices in the elimination of all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance;
>
> "(g) Follow-up to the implementation of all relevant paragraphs of the Durban Declaration and Programme of Action and the promotion of the

establishment of national, regional and international mechanisms to combat racism, racial discrimination, xenophobia and related intolerance;

"(h) The role of human rights education in promoting tolerance and the elimination of racism, racial discrimination, xenophobia and related intolerance;

"(i) Respect for cultural diversity as a means to prevent racism, racial discrimination, xenophobia and related intolerance;

"(j) Incitement to all forms of hatred, taking into account article 20, paragraph 2, of the International Covenant on Civil and Political Rights, and instances of racially motivated hate speech, including the dissemination of ideas of racial superiority or that incite racial hatred, taking into account article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, article 19 of the International Covenant on Civil and Political Rights and general comment No. 15 of the Committee on the Elimination of All Forms of Racial Discrimination, which states that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with the freedom of opinion and expression;

"(k) The sharp increase in the number of political parties and movements, organizations and groups which adopt xenophobic platforms and incite hatred, taking into account the incompatibility of democracy with racism;

"(l) The impact of some counter-terrorism measures on the rise of racism, racial discrimination, xenophobia and related intolerance, including the practice of racial profiling and profiling on the basis of any grounds of discrimination prohibited by international human rights law;

"(m) Institutional racism and racial discrimination;

"(n) The efficiency of the measures taken by Governments to remedy the situation of victims of racism, racial discrimination, xenophobia and related intolerance;

"(o) Impunity for acts of racism, racial discrimination, xenophobia and related intolerance, and maximizing remedies for the victims of these violations."

12. In paragraph 3 of the resolution, the Council requested the Special Rapporteur, in the discharge of his mandate:

"(a) To develop a regular dialogue and discuss areas of possible cooperation with Governments and all relevant actors concerning issues pertaining to his/her mandate, and to provide technical assistance or advisory services at the request of the concerned States;

"(b) To play a role of advocacy and to engage in the mobilization of political will with all relevant actors in States for the elimination of racism, racial discrimination, xenophobia and related intolerance;

"(c) To coordinate, as appropriate, with other relevant bodies and mechanisms of the United Nations;

"(d) To integrate a gender perspective throughout the work of his/her mandate, highlighting women's rights and reporting on women and racism;

"(e) To report regularly to the Council and the General Assembly."

13. In the resolution, the Council requested all Governments to cooperate fully with the Special Rapporteur in the discharge of his/her mandate, including by responding promptly to the Special Rapporteur's communications, including urgent appeals, and by providing the information requested and urged all Governments to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries, including follow-up visits.

14. In addition to the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action and other relevant international instruments, which continue to provide the normative framework for the mandate, the Special Rapporteur intends to pursue the provisions of Human Rights Council resolution 7/14, on the right to food, as programmatic priorities related to the discharge of his mandate.

III. Main observations

15. In the present report, the current mandate holder, who took up his functions on 1 August 2008, presents his main objectives and his vision for the future of the mandate.

16. The Durban Declaration and Programme of Action, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments will remain the central normative and intellectual framework for the implementation of the mandate. In this regard, the Special Rapporteur would like to recall the strong emphasis in the Durban Declaration and Programme of Action on victim-orientation in anti-racism policies. This approach will be further strengthened in the discharge of the mandate, in particular in cooperation with civil society organizations, including organizations representing contemporary victims of racism, racial discrimination, xenophobia and related intolerance.

17. The Special Rapporteur further highlights the central importance he attaches to cooperation and engagement with Member States in the implementation of his mandate. Governments are uniquely placed to bring about the necessary changes needed for the elimination of the scourge of racism, racial discrimination, xenophobia and related intolerance. In this regard, the Special Rapporteur will continuously engage with Governments in order to share expertise and advocate the implementation of anti-racism policies while, at the same time, continuing to carry out his key role of monitoring and reporting on human rights violations.

18. The Special Rapporteur also express his strong commitment to cooperate closely with the United Nations agencies, funds and programmes as well as with the different departments of the Secretariat in order to mainstream anti-racism policies and explore common synergies that can be effectively used in the fight against racism. In this regard, he expresses particular interest in cooperating with United Nations peacekeeping operations deployed in contexts where racial or ethnic issues are relevant, the Special Adviser of the Secretary-General on the prevention of genocide, the Department of Political Affairs, the Peacebuilding Commission, the

United Nations High Commissioner for Refugees and the Office for the Coordination of Humanitarian Affairs, among others.

19. In the planning and undertaking of country visits, the Special Rapporteur will take into account the underlying principle that racism is a universal problem of global implications and will therefore consider the importance of achieving geographical balance and of addressing a wide range of situations of concern to his mandate.

20. As the process of organizing the Durban Review Conference unfolds, with the forthcoming substantive session of the Preparatory Committee to be held in October 2008 and the Review Conference in April 2009, the Special Rapporteur is committed to participate actively and to provide a substantive contribution to the review process. In particular, he hopes that revisiting the historical Durban Declaration and Programme of Action will further strengthen the international front against racism and offer yet another relevant normative framework for the discharge of his mandate.

IV. Activities of the Special Rapporteur

21. The Special Rapporteur was entrusted with his mandate on 1 August 2008. In section IV of the present report, he describes his participation in the Africa Regional Preparatory Meeting for the Durban Review Conference held in Abuja from 24 to 26 August 2008. He also describes some of the activities of his predecessor, namely the reports submitted to the Human Rights Council and the country visits undertaken since the drafting of the last report (A/62/306) to the General Assembly.

A. Participation in the Africa Regional Preparatory Meeting for the Durban Review Conference

22. The Special Rapporteur wishes to note his participation at the Africa Regional Preparatory Meeting for the Durban Review Conference held in Abuja from 24 to 26 August 2008.

23. In the speech he delivered at the Meeting, the Special Rapporteur highlighted the importance of the Durban Declaration and Programme of Action to the international normative framework to combat racism, racial discrimination, xenophobia and related intolerance. He further emphasized that many provisions of the Durban Declaration and Programme of Action had yet to be implemented. The Special Rapporteur therefore recommended that each Member State engage in a process of reflection and self-assessment that would underline the main successes and shortcomings in the implementation of the Durban Declaration and Programme of Action.

24. The Special Rapporteur noted the interplay and mutually reinforcing character of poverty and racism. In particular, he recalled that the Durban Declaration and Programme of Action recognized that poverty, marginalization and social exclusion were not only closely associated with racism, racial discrimination, xenophobia and related intolerance, but were further aggravated by those problems. He recommended that efforts to eliminate racism be therefore undertaken in conjunction with policies to eradicate poverty and promote human development.

25. The Special Rapporteur also noted that the Durban Review Conference was a unique opportunity for Member States to express renewed commitment and unrelenting engagement to fight the scourge of racism and to implement the Durban Declaration and Programme of Action.

B. Reports submitted to the Human Rights Council at its sixth and seventh sessions

26. The Special Rapporteur wishes to inform the General Assembly of the reports submitted by his predecessor to the Human Rights Council at its sixth and seventh sessions.

27. At the sixth session of the Human Rights Council, pursuant to resolution 4/9, the former mandate holder submitted a thematic report on the manifestations of defamation of religions and in particular on the serious implications of Islamophobia on the enjoyment of all rights (A/HRC/6/6). In that report, the former mandate holder analysed the phenomenon of religious discrimination, including Islamophobia, anti-Semitism, Christianophobia and other forms of religious discrimination.

28. At the seventh session of the Human Rights Council, the former mandate holder submitted his annual report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/HRC/7/19). He also submitted a summary of communications transmitted to Governments (A/HRC/7/19/Add.1) and country reports following his visits to Lithuania (A/HRC/7/19/Add.4), Latvia (A/HRC/7/19/Add.3), Estonia (A/HRC/7/19/Add.2) and the Dominican Republic (A/HRC/7/19/Add.5-A/HRC/7/23/Add.3) and a preliminary note on his visit to Mauritania (A/HRC/7/19/Add.6).

C. Field missions

29. The Special Rapporteur wishes to inform the General Assembly of the visits carried out by his predecessor since the submission of his last report (A/62/306) to the Assembly on 24 August 2007.

30. The Special Rapporteur wishes to inform the Assembly that, since taking up his functions on 1 August 2008, he has requested visits to a number of Member States. He hopes that they will respond positively to those requests.

31. The Special Rapporteur notes that the Assembly, in its resolution 62/220, had reiterated its call for all Member States "to cooperate fully with the Special Rapporteur, and ... to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively". He recalls that while reviewing the mandate of the Special Rapporteur in its resolution 7/34, the Human Rights Council urged all Governments to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries, including follow-up visits.

1. Mission to Lithuania

32. The former mandate holder visited Lithuania from 16 to 19 September 2007, at the invitation of the Government. He submitted a report on the visit at the seventh session of the Human Rights Council (A/HRC/7/19/Add.4). The former mandate holder held meetings with State authorities and with civil society, representatives of minority communities and victims of racism, racial discrimination, xenophobia and related intolerance.

33. The former mandate holder concluded that there was a solid legal and institutional framework in place to tackle racism and discrimination in Lithuania, but that further steps needed to be taken to ensure the full and complete application of existing legislation. He highlighted the existence of a historical multicultural tradition in Lithuania that would be useful for overcoming the challenges that the country will face in the future. However, he found areas of concern, in particular regarding historical minorities, including people of Russian descent and some vulnerable groups, notably Romas and non-European new migrants. In particular, he noted with concern the profound discrimination faced by the Roma community, in particular in the fields of employment, education and housing. Non-European minorities had also faced growing problems in terms of racist violence and hate speech. Contrary to traditional minorities, which had been present in the country for decades or centuries, the new migrants posed new identity problems that needed to be overcome through the promotion of tolerance and multiculturalism.

34. The former mandate holder also emphasized the important historical moment that Lithuania was currently experiencing. After the restoration of its independence in 1990, Lithuania had started its integration into the globalized world, a process that carried a number of challenges demanding constant vigilance by authorities and civil society alike. The most important challenge for Lithuania, shared by all Baltic States, was to effect a balance between the continuity of its national identity and profound historical roots and the dynamic of a new multicultural identity inherited from its recent history. Another pressing challenge was to prepare its society for the arrival of new waves of non-European migrants bearing different traditions, cultures and religions. That challenge was also an opportunity to enrich Lithuanian society with more diversity, intercultural dialogue and interaction.

2. Mission to Latvia

35. The former mandate holder visited Latvia from 20 to 24 September 2007 at the invitation of the Government, submitting a report at the seventh session of the Human Rights Council (A/HRC/7/19/Add.3). He held meetings with authorities from the executive branch, including the Prime Minister, and the legislative and judicial branches, as well as civil society, representatives of minority communities and victims of racism, racial discrimination, xenophobia and related intolerance.

36. In his conclusions, the former mandate holder highlighted that Latvia had put in place legislation and a number of institutions aimed at tackling racism and discrimination. He further noted that Latvian society had a history of tolerance, multiculturalism and openness to distinct cultures, which could be a major asset in the deployment of efforts to eradicate racism and discrimination in the long term.

37. The former mandate holder found areas of concern, particularly in terms of three generally vulnerable groups and communities, who nonetheless presented

distinct problems. The first group was composed of the ethnic Russians who had immigrated to Latvia during the Soviet occupation, many of whom had yet to acquire Latvian citizenship and were living under the status of non-citizens. The second vulnerable group identified by the former mandate holder was the Roma community, which suffered, as in most European countries, from cultural stigma and socio-economic discrimination and lived under marginalized conditions. Finally, the former mandate holder assessed the situation of a third vulnerable group, composed of non-European migrants who had only recently arrived in the country and who had been subjected to racist violence and hate speech, particularly in the electronic media, mostly from extremist and neo-Nazi groups.

38. As in the other Baltic countries, the former mandate holder noted that in the fight against racism in Latvia, it was important to take into account both the need of the country to reassert the continuity of its national identity — shaken and eroded by occupation but deeply rooted in memory — and the recognition and respect of the rights of all minorities including those resulting from the occupation. He emphasized that the two principles that should guide the process were the respect for historical truth and the non-discrimination of minorities.

3. Mission to Estonia

39. At the invitation of the Government, the former mandate holder visited Estonia from 25 to 28 September 2007. He submitted his report on the visit to the Human Rights Council at its seventh session (A/HRC/7/19/Add.2). The former mandate holder held meetings with authorities from the three branches of Government, including the Prime Minister, as well as representatives of civil society, minority communities and victims of racism, racial discrimination, xenophobia and related intolerance.

40. In his conclusions, the former mandate holder highlighted the political will shown by authorities, including the Prime Minister, to tackle the problems related to racism and racial discrimination in the country, highlighting, however, that it needed to be constantly reinforced and transformed into concrete actions. He also underlined the fact that Estonia had put in place some institutions that had been very sensitive to the issues relevant to his mandate.

41. The former mandate holder also found a number of areas of concern, primarily concerning three distinct communities in Estonia: the Russian-speaking minority, the Roma community and non-European migrants. The main concerns of the Russian-speaking community were directly related to statelessness, which predominantly affected the group, and the country's language policy, which was seen as an attempt to suppress the usage of Russian. Despite its small size, the Roma community in Estonia, as elsewhere in Europe, suffered mostly from structural discrimination, precarious education and marginalization. Lastly, non-European minorities had experienced a surge in racist violence, particularly by extremist groups, and intolerance by some individuals concerning their ethnic, religious and cultural diversity. Although each of these communities faced different types of problems, a truly long-term solution could only be achieved by focusing on the promotion of multiculturalism and respect for diversity.

42. The former mandate holder further highlighted that in the fight against racism, Estonia would have to show political vision, legal vigilance and cultural creativity to develop a long-lasting sense of belonging and living together, which would allow

its different communities to bond. In that process, two main principles should be followed: respect for historical truth; and non-discrimination of minorities. He put forward a number of concrete recommendations for the Government of Estonia and its civil society.

4. Mission to the Dominican Republic

43. From 23 to 29 October 2008, at the invitation of the Government, the former mandate holder visited the Dominican Republic jointly with the independent expert on minority issues. They submitted a report on the visit at the seventh session of the Human Rights Council (A/HRC/7/19/Add.5-A/HRC/7/23/Add.3). The experts had extensive meetings with senior Government representatives, members of the legislative and judiciary branches, non-governmental organizations, community members, academics and students, political parties, media and other institutions and individuals working in the field of minority issues, social inclusion, anti-racism and discrimination. The delegation visited Santo Domingo, Dajabón and the border region with Haiti, Santiago and San Pedro de Macorís.

44. The experts found that there was a profound and entrenched problem of racism and discrimination in Dominican society, generally affecting blacks, in particular such groups as black Dominicans, Dominicans of Haitian descent and Haitians. The dominant perception among most Dominicans was that their mulatto skin tones distinguished them from darker-skinned Dominicans and Haitians.

45. The experts noted that the issue of racism was almost invisible in certain parts of society, in particular among elites who vehemently denied the possibility of the existence of such a phenomenon. They considered that the invisibility might be the reflection or the consequence of several factors: the historical and cultural depth of racism in the whole hemisphere, from slavery and colonization until the present day; the occupation of the Dominican Republic by Haiti and the achievement of independence of the Dominican Republic from Haiti; and the centrality and instrumentalization of the racial factor during the Trujillo regime and its profound impact in Dominican society.

46. While there was no Government policy of racism and no legislation that was on the face of it clearly discriminatory, the experts highlighted the discriminatory impact of certain laws, particularly those relating to migration, civil status and the granting of Dominican citizenship to persons of Haitian heritage born in the Dominican Republic. In particular, Migration Law No. 285-04 presented problems of conflict with the Constitution of the Dominican Republic, retroactivity and discriminatory application.

47. The experts also noted that people of Haitian descent living in the Dominican Republic, constituting a minority group with rights, as elaborated in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, included persons who had lived in the Dominican Republic for decades as well as second and third generations born in the Dominican Republic when it was widely understood that the *jus soli* provision of the Constitution granted them citizenship. People of Haitian descent in all categories were now having their presence questioned, regardless of whether they had been issued official documents in the past. They were experiencing extreme vulnerability, unjustified deportations and racial discrimination and were denied the full enjoyment of their human rights.

48. The experts recommended that the current Migration Law be revised as a matter of urgency to conform to the *jus soli* provisions of the Constitution and that the rights of all persons of Haitian descent must be respected. As a vital step, the experts also urged the recognition of the reality of racism and discrimination and the expression of a strong political will at the highest level, as well as the establishment of a national plan of action against racism, racial discrimination and xenophobia, in consultation with, and inclusive of, all groups within Dominican society. The experts also called for a wide and inclusive debate on issues of racism and discrimination within the country, particularly in regard to those groups, to rebuild confidence across and within communities and promote a sense of belonging.

5. Mission to Mauritania

49. The former mandate holder visited Mauritania from 20 to 24 January 2008 at the invitation of the Government. He submitted a preliminary note on the visit at the seventh session of the Human Rights Council (A/HRC/7/19/Add.6). The visit included the cities of Nouakchott and Rosso. He met both local and national Government representatives, including President Sidi Mohamed Ould Cheikh Abdallahi, Prime Minister Zein Ould Zeidane, ministers and secretaries of State and members of the legislature and the judiciary. He also met representatives of non-governmental organizations, spiritual and religious leaders, political party leaders, intellectuals, journalists and other members of civil society involved in the efforts to eliminate racism and discrimination. The former mandate holder also visited the El-Mina neighbourhood and the Dar Naim prison in Nouakchott, and the Toulel II area near Rosso, where he met with Mauritanian refugees returned from Senegal in the 1990s.

50. The main conclusion of the former mandate holder following the visit was that, while there were no manifestations of legally endorsed or State-approved racism in the country, Mauritanian society had been deeply marked by continuing discriminatory practices of an ethnic and racial nature, rooted in cultural traditions and pervasively present in attitudes and social structures. A number of persistent features of Mauritanian society had given substance and depth to such discrimination over a long period of time, including: the central role of traditional slavery; the cultural and social entrenchment of the caste system; and the use of ethnicity as a political tool, including through language policies that had contributed to the polarization of Mauritanian society and the antagonism of various communities.

51. The former mandate holder highlighted the key challenge of constructing the identity of the Mauritanian nation in the face of the continuing identity tension between its two main and highly polarized groups: Arabs and Africans. Throughout the country's history, the tension had been used politically to favour the Arab dimension in forging the country's official identity. The heavy burden of the historical legacy of discrimination, as reflected in attitudes and social structures, as well as in inter-community relations and perceptions, was a particularly serious obstacle to the eradication of the culture of discrimination and its various manifestations. The burden was reflected in the silence of victims on the subject of their suffering, and their political, economic and social invisibility in political, military, police and security governance structures and in the world of business and the media, a silence and invisibility that had for a long time resulted, inter alia, in

the absence of racial discrimination cases in the courts and the lack of statistical data disaggregated by ethnicity.

52. Finally, the former mandate holder noted the correspondence in Mauritanian society between the map of socio-economic marginalization and the map of ethnic groups and communities, a strong indication of long-term discrimination. He also noted the flaws in the intellectual and ethical strategy aimed at tackling the root cultural causes of discrimination and the lack of practical follow-up to laws, in particular those on slavery. In that regard, he emphasized the importance of taking into account, in parallel to the adoption of the bill making slavery a punishable offence, the profound long-term impact of slavery on sensitivities and behaviour patterns, which manifested itself as a sort of tacit acceptance of relations of servitude. In that connection, he noted the limited benefits of legally freeing slaves who did not have the material or financial means to support themselves and find a place in society.

6. Mission to the United States of America

53. The former mandate holder visited the United States of America from 18 May to 6 June 2008 at the invitation of the Government. The report containing his conclusions and observations on the visit will be submitted at a forthcoming session of the Human Rights Council in 2009.

V. Conclusions and recommendations

54. **The present report outlines the main vision and objectives of the Special Rapporteur for the implementation of his mandate and the key normative instruments that will guide his work.**

55. **In his future reports to the General Assembly and the Human Rights Council, the Special Rapporteur will be able to submit precise conclusions and recommendations to Member States.**

56. **The Special Rapporteur would like to note the request of the Human Rights Council for Member States to cooperate fully with the Special Rapporteur in the discharge of his/her mandate, including by responding promptly to communications, including urgent appeals, and by providing the information requested, and urges all Governments to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries, including for follow-up visits.**